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09/824,355	04/02/2001	Edward J. Gottsman	05222.00108	7180

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BANNER & WITCOFF AND ATTORNEYS FOR ACCENTURE  
10 S. WACKER DRIVE, 30TH FLOOR  
CHICAGO, IL 60606

EXAMINER

CORRIELUS, JEAN M

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 10/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/824,355

Applicant(s)

GOTTSMAN, EDWARD J.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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## **DETAILED ACTION**

1. This office action is in response to the amendment filed on August 1, 2003, which claims 1-15 are presented for further examination.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment .

### ***Claim Rejections - 35 U.S.C. § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over May et al (hereinafter "May") US Patent no. 5,544,354.

As to claim 1, May discloses a system for accessing a large database of information using both browsing and searching behaviors. In particular, May discloses the claimed features "displaying in a matrix area on the display a matrix having a plurality of cells and a plurality of icons displayed in one or more of the cells, each icon corresponding to an elements in the database" Fig.1A-Fig.1E has a matrix area (101) having a plurality of cells (cell 1-12) and a plurality of icons displayed in one or

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more of the cells (specials; money; news; reference; program guide; MyTV...), (col.5, lines 27-47; col.6, lines 44-63; col.7, lines 1-25; col.26, lines 60-65; col.24, lines 49-51); "receiving an icon selection signal in response to a user selecting one of the icons with the user interface selection device" by performing a searching function on the cells displayed matrix to provide access to the database (col.12, lines 7-25; col.18, lines 52-66); and "in response to the icon selection signal displaying a corresponding element" (col.18, lines 45-58; col.19, lines 9-45). May does not explicitly the use wherein the matrix includes row headings and column headings. However, May discloses a database system which attributes for the various objects used in the preferred implementation of the matrix architecture user interface in an object oriented environment. It is noted, however, Such database disclosed by May has used to store information in tables rows and columns of data and conducts searches by using data in specified columns of one table to find additional data in another table. Applicant should duly note that in conducting searches, the database matches information in a corresponding field of another table to produce a third table that combines requested data from both tables (see May's fig.12). It would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to modify May's system, wherein the database system provided therein (see May's fig.12) would incorporate the use wherein the matrix includes row headings and column headings. One having ordinary skill in the art would have been motivated to utilize such a database system of May would allow user to easily identify and configure their own data sets for easy access to frequently used record, thereby reducing the burden on the users in

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learning a variety of distinct operations, and encouraging customization by casual or more passive users.

As to claim 2, May discloses the claimed features “wherein the row headings identify sources from which the elements are obtained, the column headings identifying subject matter to which the elements relate” (col.8, lines 5-60; fig.12).

As to claim 3, May discloses the claimed features “changing a visually perceptive characteristic of one of the icons in response to step (b)”(col.9, lines 35-47; 50-63).

As to claim 4, May discloses the claimed features “receiving from the user a search request input from a user input device”(col.26, lines 60-65); and “changing a visually perceptive characteristic of icons that correspond to elements that satisfy the search request” (col.12, lines 30-39).

As to claim 5, May discloses the claimed feature “periodically changing, without intervention by the user, the element that is displayed” (col.12, lines 30-39).

As to claim 6, May discloses the claimed feature “wherein the element comprises a textual image” (col.9, lines 35-47).

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As to claim 7, the limitations of claim 7 have been noted in the rejection of claim 1 above. In addition, May discloses the claimed feature “wherein the element comprises a textual excerpt”(col.9, lines 35-47).

As to claim 8, May discloses the claimed feature “displaying in a title relating to the element” (col.5, lines 27-47); and “displaying in a source location a source of the element” (col.12, lines 15-25).

As to claim 9, May discloses the claimed feature “wherein the user selects the icon by superimposing a pointing indicator on the icon” (col.9, lines 60-64).

As to claim 10, the limitations of claim 10 have been noted in the rejection of claim 1 above. In addition, May discloses the claimed feature “displaying in a file location of the display a file”(col.12, lines 15-25).

As to claim 11, May discloses the claimed feature “receiving a search request from a user”(col.26, lines 60-65); and “changing a visually perceptive characteristic of icons that correspond to files that satisfy the search request” (col.12, lines 30-39).

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***Claim Rejections - 35 U.S.C. § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over May et al (hereinafter "May")US Patent no. 5,544,354 in view of Burnard et la (hereinafter "Burnard") US Patent no. RE37,722.

As to claim 12, May discloses the claimed feature "a database of textual excerpts" (col.25, lines 23-32). However, May does not disclose the cited features "a translator configured to combine the textual excerpts into a library file"; and "a computer configured to combine source code and the library file into a single executable file".

On the other hand, Burnard discloses an user interface objects that store in a user interface object archive which is a database physically located in the shared library of an association application program in order to facilitate preparation of an application developed in one language for use in an are which uses another language. In particular, Burnard discloses the claimed features "a translator configured to combine the textual excerpts into a library file" (col.11, lines 42-67; col.30, lines 15-26); and "a computer configured to combine source code and the library file into a single executable file" (col.7, lines 40-57; col.8, lines 37-57).

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Therefore, it would have been obvious to one of ordinary skill in the art of data processing, at the time the present invention was made to combine the teachings of the cited references. One having ordinary skill in the art would have been motivated to utilize the teachings of Burnard into the system disclosed by May in order to allow newly created user interface object to use the redesigned construction program which are stored in an archive

As to claim 13, Burnard discloses the claimed feature "including a content editor coupled to the database of textual excerpts" (col.3, line 26-col.4, line 7).

7. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burnard et la (hereinafter "Burnard") US Patent no. RE37,722.

As to claim 14, Burnard discloses the claimed feature "creating a database, an element library containing a plurality of database elements having a common format" (col.8, lines 38-57); "creating source code for a user interface that permit a user to view the database elements"(col.8, lines 38-57); and "compiling the element library and the source code to create an executable computer file which, when executed, permits the user to display the database" (col.8, lines 38-57): May does not explicitly disclose the use of compiling the element library without reference to non-compiled data. However, Burnard discloses a system to provide a user interface archiving system which facilitates the translation of the text in an application to an alternative language. Therefore, one having ordinary skill in the art at the time the invention was to modify Burnard's system to incorporate the use of



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compiling the element library without reference to non-compiled data in order to allow newly created user interface object to use the redesigned construction program which are stored in an archive.

As to claim 15, May discloses the claimed feature "containing a computer executable file" (col.7, lines 40-57).

### *Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MEP. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or early communication from the Examiner should be directed to **Jean Corrielus** whose telephone number is (703) 306-3035. The Examiner can normally be reached on the weekdays from 7:00am to 5:30pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, **Kim Vu**, can be reached on (703)305-9343.

Any response to this action should be mailed to:

**Commissioner of Patents and Trademarks Washington, D.C. 20231**

**or faxed to:**

**(703) 746-7239**, (for formal communications intended for entry)

**Or:**

**(703)746-7240** (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to **Crystal Park II, 2021 Crystal Drive, Arlington,**

**VA., Sixth Floor (Receptionist).**



Jean M. Corrielus

Patent Examiner

9.October 8, 2003